

Sullivan, R

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

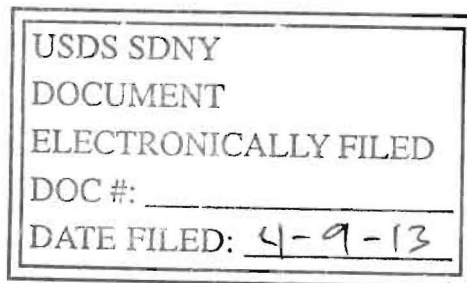
FEDERAL HOUSING FINANCE
AGENCY, AS CONSERVATOR,

Petitioner,

v.

CITIGROUP INC. AND CITIMORTGAGE
INC.,

Respondents.



No. 13-MC-0005 (RJS)
ECF Case

SUPPLEMENTAL STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING SUBPOENA COMPLIANCE

This Supplemental Stipulation is entered into between The Federal Housing Finance Agency ("FHFA" or "Conservator"), as Conservator for the Federal Home Loan Mortgage Corporation ("Freddie Mac") and the Federal National Mortgage Association ("Fannie Mae"), and Citigroup Inc. ("Citigroup") and CitiMortgage Inc. ("CitiMortgage") (together with their subsidiaries and affiliates, "Citi," and together with FHFA, the "Parties"), by their respective undersigned counsel.

WHEREAS, on July 8, 2010, FHFA issued Subpoenas FRE-010 and FNM-009 to CitiMortgage (the "CitiMortgage Subpoenas"), and on July 12, 2010, Subpoenas FRE-029 and FNM-008 to Citigroup (the "Citigroup Subpoenas," and together with the CitiMortgage Subpoenas, the "Conservator Subpoenas") pursuant to 12 U.S.C. § 4617(b)(2)(I);

WHEREAS, on January 4, 2013, FHFA and Citi commenced this action by filing a Consent Petition to Enforce Subpoenas *Duces Tecum* (the "Consent Petition") regarding enforcement of the Conservator Subpoenas;

WHEREAS, on January 4, 2013, FHFA and Citi also filed a Stipulation and Proposed Order Regarding Subpoena Compliance (the "Original Stipulation and Order") in resolution of the Consent Petition. Pursuant to the Original Stipulation and Order, Citi agreed, *inter alia*, to the following:

- No later than 30 days after the Original Stipulation was signed by the Parties (**by February 3, 2013**), Citi would complete final production of all documents responsive to the Conservator Subpoenas, as modified by the Original Stipulation and Order; and
- No later than 15 days after the Original Stipulation was signed by the Parties (**by January 19, 2013**), Citi would complete final production of all loan files responsive to the Conservator Subpoenas, as modified by the Original Stipulation and Order;

WHEREAS, on January 24, 2013, the Original Stipulation was entered by this Court as an Order of the Court;

WHEREAS, Citi failed to complete production of the loan files referenced in the Original Stipulation and Order by the date specified in the Original Stipulation and Order, but will complete production of those loan files by April 18, 2013;

THEREFORE, the Parties hereby further agree as follows:

1. Except as specifically provided herein, all terms of the Original Stipulation and Order remain in full force and effect.

2. Paragraph 1 of the Original Stipulation and Order is hereby amended and restated in its entirety and now provides:

1. Subject to the modifications to the relevant Conservator Subpoenas set forth in Paragraph 3 below, Citi will produce to FHFA all remaining documents

responsive to the Conservator Subpoenas within Citi's possession, custody, or control, on a rolling basis as soon as the documents are ready for production and release provided that final production is complete no later than April 18, 2013, or such other date if agreed in writing by the Parties, except that Citi is not required to produce directly those documents within the exclusive possession of the third-party servicing entities possessing documents responsive to the Conservator Subpoenas (the "Servicing Entities"), identified in Exhibit B to this Stipulation, subject to its additional obligations with respect to those entities as set forth below.

3. Capitalized terms used in this Supplemental Stipulation and Proposed Order shall have the same meaning as defined in the Original Stipulation and Order, unless otherwise or separately defined herein.

Dated: New York, New York
April 8, 2013

By: 

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
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*Attorneys for Citigroup Inc. and
CitiMortgage Inc.*

SO ORDERED, at New York, New York

 April 9, 2013:


United States District Judge 

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL HOUSING FINANCE
AGENCY, AS CONSERVATOR,

Petitioner,

-against-

CITIGROUP INC. AND CITIMORTGAGE
INC.,

Respondents.

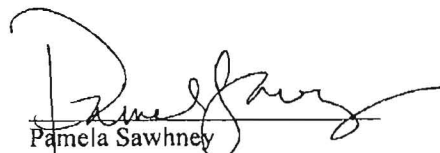
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CERTIFICATE OF SERVICE

I, Pamela Sawhney, declare under penalty of perjury that true and correct copies of the Supplemental Stipulation and [Proposed] Order Regarding Subpoena Compliance have been served upon all counsel of record in the above-captioned action via electronic delivery and Federal Express on the 8th day of April, 2013.

Dated: April 8, 2013
New York, New York

By:



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